IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

AS.No. 512 of 1997(C)

OS.1374/1993 of II ADDL.SUB COURT,TRIVANDRUM
.....

APPELLANT:

1.STATE OF KERALA, REP. BY ITS CHIEF SECRETARY
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2.THE SUPERINTENDING ENGINEER, ROADS AND BUILDINGS,
SOUTH CIRCLE, KERALA P.W.D., THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.K.V.MANOJKUMAR.

RESPONDENTS:

B.BABU, S/O.BHASKARAN, RESIDING AT
SIMI NIVAS, KAZHATTINGAL, ATTINGAL, REP. BY HIS
POWER OF ATTORNEY HOLDER P.GOPALAN, AGED 59,
RESIDING AT LATHIKA SADANAM, MANANPARAMBU P.O.
VIA ALEMCODE, ATTINGAL.

BY ADV. SRI.NAIR AJAY KRISHNAN

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD
ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ORDER ON C.M.P.NOS.4858/97 & 2846/98 IN A.S.NO.512/1997

DISMISSED.

7.9.2007. SD/- KURIAN JOSEPH, JUDGE.

SD/- HARUN-UL-RASHID, JUDGE.

(TRUE COPY)

TGS

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

A.S. NO.512 OF 1997

Dated 7th September, 2007.

J U D G M E N T

Kurian Joseph, J.

This appeal is directed against the judgment and decree in O.S.1374/93 on the file of the II Additional Sub Court, Thiruvananthapuram. The appeal is filed by the State and the other defendant. In view of the intervening developments leading to the judgment in O.S.475/95 on the file of the Sub Court, Thiruvananthapuram, this appeal has been rendered infructuous. Learned Government Pleader submits that no appeal has been filed against the judgment and decree in O.S.475/95 and steps are being taken to recover the loss caused to the State from the officers concerned. In the above circumstances, this appeal is dismissed.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

A.S. NO.512 OF 1997

J U D G M E N T

Dated 7th September, 2007.